By: Senator(s) McCaughn, Boyd, Barnett, Hill, Parks, Jackson (11th), Tate, McLendon, McMahan, Barrett, Caughman, Parker, Branning, Moran, McDaniel, Blackwell, Younger, Sojourner, Chism, Butler (38th), Jordan

To: Judiciary, Division A

## SENATE BILL NO. 2321 (As Sent to Governor)

AN ACT TO CREATE A CIVIL CAUSE OF ACTION FOR ENGAGING IN HUMAN TRAFFICKING OR WILLFULLY, INTENTIONALLY AND KNOWINGLY BENEFITTING FROM PARTICIPATION IN HUMAN TRAFFICKING; TO DEFINE TERMS; TO PROVIDE THAT A DEFENDANT WHO ENGAGES IN HUMAN 5 TRAFFICKING OR WHO WILLFULLY, INTENTIONALLY AND KNOWINGLY BENEFITS 6 FROM PARTICIPATING IN A VENTURE THAT TRAFFICKS ANOTHER PERSON IS 7 LIABLE TO THE PERSON TRAFFICKED FOR DAMAGES PROXIMATELY CAUSED BY THE TRAFFICKING OF THAT PERSON BY THE DEFENDANT OR VENTURE; TO 8 9 PROVIDE FOR SHAREHOLDER OR MEMBER LIABILITY; TO CLARIFY THAT THE 10 OCCURRENCE OF HUMAN TRAFFICKING ON THE PROPERTY OF ONE NOT ENGAGED 11 IN OR BENEFITTING FROM SUCH HUMAN TRAFFICKING SHALL NOT, IN AND OF 12 ITSELF, SUBJECT THE PROPERTY OWNER TO LIABILITY; TO AMEND SECTION 13 97-29-51, MISSISSIPPI CODE OF 1972, TO CLARIFY THE CRIME OF PROMOTION OF PROSTITUTION; TO AMEND SECTION 97-3-54.7, MISSISSIPPI 14 CODE OF 1972, TO REVISE WHERE THE PROCEEDS OF FORFEITED ASSETS 15 16 FROM HUMAN TRAFFICKING ARE DEPOSITED; TO AMEND SECTION 97-3-54.9, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO REPEAL SECTION 97-3-54.8, MISSISSIPPI CODE OF 1972, WHICH PROVIDES 17 18 19 FOR THE "RELIEF FOR VICTIMS OF HUMAN TRAFFICKING FUND"; AND FOR 20 RELATED PURPOSES. 21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

- 22 SECTION 1. For purposes of this act, the following words
- 23 shall have the meanings ascribed herein unless the context
- 24 requires otherwise:
- 25 (a) "Human trafficking" means the actions that
- 26 constitute an offense under Section 97-3-54.1 or 97-3-54.3.

- 27 (b) "Venture" means any group of two (2) or more
- 28 individuals associated in fact, whether or not a legal entity.
- 29 **SECTION 2.** (1) A defendant who engages in human trafficking
- 30 or who willfully, intentionally and knowingly benefits from
- 31 participating in a venture that trafficks another person is liable
- 32 to the person trafficked, as provided by this act, for damages
- 33 proximately caused by the trafficking of that person by the
- 34 defendant or venture.
- 35 (2) The occurrence of human trafficking on the property of
- 36 one not engaged in or benefitting from such human trafficking
- 37 shall not, in and of itself, subject the property owner to
- 38 liability under this act.
- 39 (3) It is not a defense to liability under this act that a
- 40 defendant has been acquitted or has not been prosecuted or
- 41 convicted under Section 97-3-54.1 or Section 97-3-54.4, or has
- 42 been convicted of a different offense or of a different type or
- 43 class of offense, for the conduct that is alleged to give rise to
- 44 liability under this act.
- 45 (4) The cause of action created by this section is in
- 46 addition to any other remedy provided by common law or statute.
- 47 (5) An action under this act shall be filed within:
- 48 (a) Three (3) years after the cause of action accrued;
- 49 or

- 50 (b) Three (3) years after the claimant reaches the age
- of majority if at the time the cause of action accrued the
- 52 claimant was a minor.
- 53 **SECTION 3.** A claimant who prevails in a suit under this act
- 54 may be awarded:
- 55 (a) Compensatory damages;
- 56 (b) Court costs; and
- 57 (c) Reasonable attorneys' fees.
- SECTION 4. A person who engages in human trafficking or who
- 59 willfully, intentionally and knowingly benefits from participating
- 60 in a venture that trafficks another person and who is found liable
- 61 under this act for any amount of damages proximately caused by the
- 62 trafficking is jointly liable with any other defendant found
- 63 liable under this act for the entire amount of damages proximately
- 64 caused by the trafficking.
- 65 **SECTION 5.** Sections 1 through 4 of this act shall be
- 66 liberally construed and applied to promote its underlying purpose
- 67 to protect persons from human trafficking and provide adequate
- 68 remedies to victims of human trafficking.
- 69 **SECTION 6.** Section 97-29-51, Mississippi Code of 1972, is
- 70 amended as follows:
- 71 97-29-51. (1) (a) A person commits the misdemeanor of
- 72 procuring the services of a prostitute if the person knowingly or
- 73 intentionally pays, or offers or agrees to pay, money or other
- 74 property to another person for having engaged in, or on the

- 75 understanding that the other person will engage in, sexual
- 76 intercourse or sexual conduct with the person or with any other
- 77 person. "Sexual conduct" includes cunnilingus, fellatio,
- 78 masturbation of another, anal intercourse or the causing of
- 79 penetration to any extent and with any object or body part of the
- 80 genital or anal opening of another.
- 81 (b) Upon conviction under this subsection, a person
- 82 shall be punished by a fine not exceeding Two Hundred Dollars
- 83 (\$200.00) or by confinement in the county jail for not more than
- 84 six (6) months, or both. A second or subsequent violation of this
- 85 section shall be a felony, punishable by a fine not exceeding One
- 86 Thousand Dollars (\$1,000.00), or by imprisonment in the custody of
- 87 the Department of Corrections for not more than two (2) years, or
- 88 both.
- 89 (c) However, in all cases, if the person whose services
- 90 are procured in violation of this subsection (1) is a minor under
- 91 eighteen (18) years of age, the person convicted shall be guilty
- 92 of a felony and shall, upon conviction, be punished by
- 93 imprisonment for not less than five (5) years, nor more than
- 94 thirty (30) years, or by a fine of not less than Fifty Thousand
- 95 Dollars (\$50,000.00) nor more than Five Hundred Thousand Dollars
- 96 (\$500,000.00), or both.
- 97 (d) Consent of a minor is not a defense to prosecution
- 98 under this subsection (1).

| 99  | (2)         | a)   | A per | rson | commits | the | felony | of | promoting |
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| 100 | prostitutio | n if | the   | pers | son:    |     |        |    |           |

- (i) Knowingly or intentionally entices, compels,

  102 causes, induces, persuades, or encourages by promise, threat,

  103 violence, or by scheme or device, another person to become a

  104 prostitute, engage in conduct in violation of Section 97-29-49,

  105 regardless of whether the other person can be or is arrested for,
- 106 charged with or convicted of the offense of prostitution;
- (ii) Knowingly or intentionally solicits or offers
  or agrees to solicit, or receives or gives, or agrees to receive
  or give any money or thing of value for soliciting, or attempting
  to solicit, another person for the purpose of prostitution;
- (iii) Knowingly induces, persuades, or encourages

  a person to come into or leave this state for the purpose of

  prostitution;
- (iv) Having control over the use of a place or
  vehicle, knowingly or intentionally permits another person to use
  the place or vehicle for prostitution;
- (v) Accepts, receives, levies or appropriates
  money or other property of value from a prostitute, without lawful
  consideration, with knowledge or reasonable cause to know it was
  earned, in whole or in part, from prostitution; or
- (vi) Conducts, directs, takes, or transports, or confers or agrees to take or transport, or aids or assists in transporting, any person to any vehicle, conveyance, place,

- 124 structure, or building, or to any other person with knowledge or
- 125 reasonable cause to know that the purpose of such directing,
- 126 taking or transporting is prostitution.
- 127 (b) Upon conviction, a person shall be punished by a
- 128 fine not exceeding Five Thousand Dollars (\$5,000.00) or by
- 129 imprisonment in the custody of the Department of Corrections for
- 130 not more than ten (10) years, or both. A second or subsequent
- 131 violation shall be punished by a fine not exceeding Twenty
- 132 Thousand Dollars (\$20,000.00) or by imprisonment in the custody of
- 133 the Department of Corrections for up to twenty (20) years, or
- 134 both.
- 135 (c) However, in all cases, if the person whose services
- 136 are promoted in violation of this subsection (2) is a minor under
- 137 eighteen (18) years of age, the person convicted shall be guilty
- 138 of a felony and shall, upon conviction, be punished by
- 139 imprisonment for not less than five (5) years, nor more than
- 140 thirty (30) years, or by a fine of not less than Fifty Thousand
- 141 Dollars (\$50,000.00) nor more than Five Hundred Thousand Dollars
- 142 (\$500,000.00), or both. There is no requirement that the
- 143 defendant have actual knowledge of the age of the person and
- 144 consent of a minor is not a defense to prosecution under this
- 145 section.
- 146 (3) If it is determined that a person suspected of or
- 147 charged with promoting prostitution is a trafficked person, as
- 148 defined by Section 97-3-54.4, that fact shall be considered a

- 149 mitigating factor in any prosecution of that person for 150 prostitution, and the person shall be referred to appropriate 151 resources for assistance. If it is determined that a person 152 suspected of or charged with promoting prostitution is a minor 153 under eighteen (18) years of age who meets the definition of a 154 trafficked person as defined in Section 97-3-54.4, the minor is immune from prosecution for promoting prostitution as a juvenile 155 156 or adult and provisions of Section 97-3-54.1(4) shall be 157 applicable.
- 158 Any partnership, association, corporation or other 159 entity violating any provision of subsection (2) against the 160 promotion of prostitution shall, upon conviction, be punished by a 161 fine not exceeding Fifty Thousand Dollars (\$50,000.00). If the 162 person whose services are promoted is under eighteen (18) years of age, the partnership, association, corporation or other legal 163 164 entity convicted shall be punished by a fine not exceeding One 165 Million Dollars (\$1,000,000.00). There is no requirement that the 166 defendant have knowledge of the age of the person. Consent of a 167 minor is not a defense to prosecution under this section.
  - (5) Investigation and prosecution of a person, partnership, association, corporation or other entity under this section shall not preclude investigation or prosecution against that person, partnership, association, corporation or other entity for a violation of other applicable criminal laws, including, but not

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- 173 limited to, the Mississippi Human Trafficking Act, Section 97-3-54
- 174 et seq.
- 175 **SECTION 7.** Section 97-3-54.7, Mississippi Code of 1972, is
- 176 amended as follows:
- 177 97-3-54.7. Forfeiture of assets and disposition of proceeds.
- 178 (1) In addition to any other civil or criminal penalties provided
- 179 by law, any property used in the commission of a violation of this
- 180 act shall be forfeited as provided herein.
- 181 (a) The following property shall be subject to
- 182 forfeiture if used or intended for use as an instrumentality in or
- 183 used in furtherance of a violation of this act:
- 184 (i) Conveyances, including aircraft, vehicles or
- 185 vessels;
- 186 (ii) Books, records, telecommunication equipment,
- 187 or computers;
- 188 (iii) Money or weapons;
- 189 (iv) Everything of value furnished, or intended to
- 190 be furnished, in exchange for an act in violation and all proceeds
- 191 traceable to the exchange;
- 192 (v) Negotiable instruments and securities;
- 193 (vi) Any property, real or personal, directly or
- 194 indirectly acquired or received in a violation or as an inducement
- 195 to violate;
- 196 (vii) Any property traceable to proceeds from a
- 197 violation; and

| 198 |                | (viii)      | Any real  | property,   | including   | any right,     |
|-----|----------------|-------------|-----------|-------------|-------------|----------------|
| 199 | title and inte | erest in th | he whole  | of or any   | part of an  | y lot or tract |
| 200 | of land used i | n further   | ance of a | a violatior | n of this a | ct.            |

- (b) (i) No property used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the property is a consenting party or privy to a violation of this act;
  - (ii) No property is subject to forfeiture under this section by reason of any act or omission proved by the owner thereof to have been committed or omitted without his knowledge or consent; if the confiscating authority has reason to believe that the property is a leased or rented property, then the confiscating authority shall notify the owner of the property within five (5) days of the confiscation or within five (5) days of forming reason to believe that the property is a leased or rented property;
  - (iii) Forfeiture of a property encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or omission.
- 218 (2) No property shall be forfeited under the provisions of 219 this section, to the extent of the interest of an owner, by reason 220 of any act or omission established by him to have been committed 221 or omitted without his knowledge or consent.

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| 222 | (3)       | Seizu   | re wit  | hout ] | process  | may be  | made   | if  | the  | seiz | zure | is |
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| 223 | incident  | to an   | arrest  | or a   | search   | under   | a sear | ch  | warr | rant | or   | an |
| 224 | inspectio | on unde | er an a | dmini  | strative | e inspe | ction  | war | rant | -    |      |    |

- 225 (4) (a) When any property is seized under this section,
  226 proceedings shall be instituted within a reasonable period of time
  227 from the date of seizure or the subject property shall be
  228 immediately returned to the party from whom seized.
- 229 A petition for forfeiture shall be filed by the 230 Attorney General or a district attorney in the name of the State of Mississippi, the county, or the municipality, and may be filed 231 232 in the county in which the seizure is made, the county in which 233 the criminal prosecution is brought, or the county in which the 234 owner of the seized property is found. Forfeiture proceedings may 235 be brought in the circuit court or the county court if a county 236 court exists in the county and the value of the seized property is 237 within the jurisdictional limits of the county court as set forth 238 in Section 9-9-21. A copy of the petition shall be served upon the following persons by service of process in the same manner as 239 240 in civil cases:
- 241 (i) The owner of the property, if address is
- (ii) Any secured party who has registered his lien or filed a financing statement as provided by law, if the identity of the secured party can be ascertained by the entity filing the

known;

| 246 | petition | bу | making | а | good | faith | effort | to | ascertain | the | identity |
|-----|----------|----|--------|---|------|-------|--------|----|-----------|-----|----------|
|     |          |    |        |   |      |       |        |    |           |     |          |

- 247 of the secured party;
- 248 Any other bona fide lienholder or secured
- party or other person holding an interest in the property in the 249
- 250 nature of a security interest of whom the seizing law enforcement
- 251 agency has actual knowledge; and
- 252 (iv) Any person in possession of property subject
- 253 to forfeiture at the time that it was seized.
- 254 If the property is a motor vehicle susceptible of
- 255 titling under the Mississippi Motor Vehicle Title Law and if there
- 256 is any reasonable cause to believe that the vehicle has been
- 257 titled, inquiry of the Department of Revenue shall be made as to
- 258 what the records of the Department of Revenue show as to who is
- 259 the record owner of the vehicle and who, if anyone, holds any lien
- 260 or security interest that affects the vehicle.
- 261 If the property is a motor vehicle and is not titled in
- 262 the State of Mississippi, then an attempt shall be made to
- 263 ascertain the name and address of the person in whose name the
- 264 vehicle is licensed, and if the vehicle is licensed in a state
- 265 which has in effect a certificate of title law, inquiry of the
- 266 appropriate agency of that state shall be made as to what the
- 267 records of the agency show as to who is the record owner of the
- 268 vehicle and who, if anyone, holds any lien, security interest or
- 269 other instrument in the nature of a security device that affects
- 270 the vehicle.

| 271 | (7) If the property is of a nature that a financing                  |
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| 272 | statement is required by the laws of this state to be filed to       |
| 273 | perfect a security interest affecting the property and if there is   |
| 274 | any reasonable cause to believe that a financing statement           |
| 275 | covering the security interest has been filed under the laws of      |
| 276 | this state, inquiry of the appropriate office designated in          |
| 277 | Section $75-9-501$ , shall be made as to what the records show as to |
| 278 | who is the record owner of the property and who, if anyone, has      |
| 279 | filed a financing statement affecting the property.                  |

- If the property is an aircraft or part thereof and if there is any reasonable cause to believe that an instrument in the nature of a security device affects the property, inquiry of the Mississippi Department of Transportation shall be made as to what the records of the Federal Aviation Administration show as to who is the record owner of the property and who, if anyone, holds an instrument in the nature of a security device which affects the property.
- 288 If the answer to an inquiry states that the record owner 289 of the property is any person other than the person who was in 290 possession of it when it was seized, or states that any person 291 holds any lien, encumbrance, security interest, other interest in 292 the nature of a security interest, mortgage or deed of trust that 293 affects the property, the record owner and also any lienholder, 294 secured party, other person who holds an interest in the property in the nature of a security interest, or holder of an encumbrance, 295

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mortgage or deed of trust that affects the property is to be named in the petition of forfeiture and is to be served with process in the same manner as in civil cases.

- 299 If the owner of the property cannot be found and served 300 with a copy of the petition of forfeiture, or if no person was in 301 possession of the property subject to forfeiture at the time that 302 it was seized and the owner of the property is unknown, there shall be filed with the clerk of the court in which the proceeding 303 304 is pending an affidavit to such effect, whereupon the clerk of the 305 court shall publish notice of the hearing addressed to "the Unknown Owner of \_\_\_\_\_, " filling in the blank space with 306 307 a reasonably detailed description of the property subject to 308 forfeiture. Service by publication shall contain the other 309 requisites prescribed in Section 11-33-41, and shall be served as provided in Section 11-33-37, for publication of notice for 310 311 attachments at law.
- 312 (11) No proceedings instituted pursuant to the provisions of 313 this section shall proceed to hearing unless the judge conducting 314 the hearing is satisfied that this section has been complied with. 315 Any answer received from an inquiry required by this section shall 316 be introduced into evidence at the hearing.
- 317 (12) (a) An owner of a property that has been seized shall
  318 file an answer within thirty (30) days after the completion of
  319 service of process. If an answer is not filed, the court shall
  320 hear evidence that the property is subject to forfeiture and

- 321 forfeit the property to the seizing law enforcement agency. If an 322 answer is filed, a time for hearing on forfeiture shall be set 323 within thirty (30) days of filing the answer or at the succeeding 324 term of court if court would not be in session within thirty (30) 325 days after filing the answer. The court may postpone the 326 forfeiture hearing to a date past the time any criminal action is 327 pending against the owner upon request of any party.
- 328 If the owner of the property has filed an answer 329 denying that the property is subject to forfeiture, then the 330 burden is on the petitioner to prove that the property is subject to forfeiture. However, if an answer has not been filed by the 331 332 owner of the property, the petition for forfeiture may be 333 introduced into evidence and is prima facie evidence that the property is subject to forfeiture. The burden of proof placed 334 335 upon the petitioner in regard to property forfeited under the 336 provisions of this chapter shall be by a preponderance of the 337 evidence.
- 338 At the hearing any claimant of any right, title or 339 interest in the property may prove his lien, encumbrance, security 340 interest, other interest in the nature of a security interest, 341 mortgage or deed of trust to be bona fide and created without 342 knowledge or consent that the property was to be used so as to 343 cause the property to be subject to forfeiture.
- 344 If it is found that the property is subject to forfeiture, then the judge shall forfeit the property. However, 345

- 346 if proof at the hearing discloses that the interest of any bona fide lienholder, secured party, other person holding an interest 347 in the property in the nature of a security interest, or any 348 349 holder of a bona fide encumbrance, mortgage or deed of trust is 350 greater than or equal to the present value of the property, the 351 court shall order the property released to him. If the interest 352 is less than the present value of the property and if the proof 353 shows that the property is subject to forfeiture, the court shall 354 order the property forfeited.
- 355 Unless otherwise provided herein, all personal property (13)356 which is forfeited under this section shall be liquidated and, 357 after deduction of court costs and the expense of liquidation, the 358 proceeds shall be divided as follows:
- 359 If only one (1) law enforcement agency participates 360 in the underlying criminal case out of which the forfeiture 361 arises, fifty percent (50%) of the proceeds shall be forwarded to 362 the State Treasurer and deposited in the \* \* \* Victims of Human 363 Trafficking and Commercial Sexual Exploitation Fund, and fifty 364 percent (50%) shall be deposited and credited to the budget of the 365 participating law enforcement agency.
- 366 If more than one (1) law enforcement agency 367 participates in the underlying criminal case out of which the 368 forfeiture arises, fifty percent (50%) of the proceeds shall be forwarded to the State Treasurer and deposited in the \* \*  $\star$ 369 Victims of Human Trafficking and Commercial Sexual Exploitation 370

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| 372 | and credited to the budget of the law enforcement agency whose     |
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| 373 | officers initiated the criminal case and twenty-five percent (25%) |
| 374 | shall be divided equitably between or among the other              |
| 375 | participating law enforcement agencies, and shall be deposited and |
| 376 | credited to the budgets of the participating law enforcement       |
| 377 | agencies. In the event that the other participating law            |
| 378 | enforcement agencies cannot agree on the division of their         |
| 379 | twenty-five percent (25%), a petition shall be filed by any one of |

Fund, twenty-five percent (25%) of the proceeds shall be deposited

382 (14) All money forfeited under this section shall be 383 divided, deposited and credited in the same manner as provided in 384 subsection (13).

and the court shall make an equitable division.

them in the court in which the civil forfeiture case is brought

385 (15) All real estate forfeited under the provisions of this 386 section shall be sold to the highest and best bidder at a public 387 auction for cash, the auction to be conducted by the chief law 388 enforcement officer of the initiating law enforcement agency, or 389 his designee, at such place, on such notice and in accordance with 390 the same procedure, as far as practicable, as is required in the 391 case of sales of land under execution at law. The proceeds of the 392 sale shall first be applied to the cost and expense in 393 administering and conducting the sale, then to the satisfaction of 394 all mortgages, deeds of trust, liens and encumbrances of record on

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the property. The remaining proceeds shall be divided, forwarded and deposited in the same manner as provided in subsection (13).

- (16) (a) Any county or municipal law enforcement agency may maintain, repair, use and operate for official purposes all property described in subsection (1)(a)(i) of this section that has been forfeited to the agency if it is free from any interest of a bona fide lienholder, secured party or other party who holds an interest in the property in the nature of a security interest. The county or municipal law enforcement agency may purchase the interest of a bona fide lienholder, secured party or other party who holds an interest so that the property can be released for its use. If the property is a motor vehicle susceptible of titling under the Mississippi Motor Vehicle Title Law, the law enforcement agency shall be deemed to be the purchaser, and the certificate of title shall be issued to it as required by subsection (9) of this section.
- 411 (b) (i) If a vehicle is forfeited to or transferred to
  412 a sheriff's department, then the sheriff may transfer the vehicle
  413 to the county for official or governmental use as the board of
  414 supervisors may direct.
- (ii) If a vehicle is forfeited to or transferred to a police department, then the police chief may transfer the vehicle to the municipality for official or governmental use as the governing authority of the municipality may direct.

| 419 (c) | If | а | motor | vehicle | forfeited | to | а | county | or |
|---------|----|---|-------|---------|-----------|----|---|--------|----|
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- 420 municipal law enforcement agency becomes obsolete or is no longer
- 421 needed for official or governmental purposes, it may be disposed
- 422 of in accordance with Section 19-7-5 or in the manner provided by
- 423 law for disposing of municipal property.
- 424 (17) The forfeiture procedure set forth in this section is
- 425 the sole remedy of any claimant, and no court shall have
- 426 jurisdiction to interfere therewith by replevin, injunction,
- 427 supersedeas or in any other manner.
- 428 **SECTION 8.** Section 97-3-54.9, Mississippi Code of 1972, is
- 429 amended as follows:
- 97-3-54.9. Statewide Human Trafficking Coordinator; duties.
- 431 (1) There is created the position of statewide human trafficking
- 432 coordinator within the Mississippi Bureau of Investigation of the
- 433 Department of Public Safety office. The duties of the coordinator
- 434 shall be as follows:
- 435 (a) Coordinate the implementation of this act;
- 436 (b) Evaluate state efforts to combat human trafficking;
- 437 (c) Collect data on human trafficking activity within
- 438 the state on an ongoing basis, including types of activities
- 439 reported, efforts to combat human trafficking, and impact on
- 440 victims and on the state;
- (d) Exclude from publicly released portions of the data
- 442 collected under subsection (1)(c) the identity of any victim and
- 443 the victim's family;

| 444 (e) Pr | romote public awareness | about human trafficking | J , |
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- 445 remedies and services for victims, and national hotline
- 446 information;
- (f) Create and maintain a website to publicize the
- 448 coordinator's work;
- 449 (g) Submit to the Legislature an annual report of its
- 450 evaluation under subsection (1)(b) and any other annual report
- 451 required by law, including any recommendations, and summary of
- 452 data collected under subsection (1)(c) and any other data
- 453 otherwise required by law to be collected by the coordinator;
- 454 **\* \* \***
- 455 ( \* \* \*h) Assist in the creation and operations of
- 456 local human trafficking task forces or working groups around the
- 457 state, including serving on a task force or a multidisciplinary
- 458 child protection team;
- ( \* \* \*i) Conduct other activities, including, but not
- 460 limited to, applying for grants to enhance investigation and
- 461 prosecution of trafficking offenses or to improve victim services
- 462 to combat human trafficking within this state which are
- 463 appropriate; and
- ( \* \* \*j) Perform any other duties specifically
- 465 required by law for the coordinator.
- 466 (2) The coordinator shall be authorized to seek input and
- 467 assistance from state agencies, nongovernmental agencies, service

| 468 | providers | and  | other | individuals | in | the | performance | of | the |
|-----|-----------|------|-------|-------------|----|-----|-------------|----|-----|
| 469 | foregoing | duti | es.   |             |    |     |             |    |     |

- 470 (3) Each state agency, board and commission shall be 471 required to fully cooperate with the coordinator in the 472 performance of the duties of that position.
- 473 (4) Every investigation of an offense under this chapter 474 shall be reported to the coordinator by the initiating law 475 enforcement agency pursuant to guidelines established by the 476 coordinator.
- (5) Notwithstanding the provisions of Section 43-21-261,
  disclosure by any state agency, nongovernmental agency, service
  provider or local or state law enforcement agency of
  nonidentifying information regarding a minor victim to the
  coordinator for the purposes of evaluating and collecting data
  regarding trafficking offenses in the state is specifically
  authorized.
- SECTION 9. Section 97-3-54.8, Mississippi Code of 1972, which provides for the Victims of Human Trafficking Fund, is repealed.
- SECTION 10. This act shall take effect and be in force from and after July 1, 2022.